



**City Council  
Regular Meeting  
Tuesday, March 15, 2005  
7:00 P.M.**

**The regularly scheduled meeting of the Trinity City Council was held on Tuesday, March 15, 2005 at the Trinity Memorial United Methodist Church.**

**MEMBERS PRESENT:** Mayor, Jimmy Shore; Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

**MEMBERS ABSENT: NONE**

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

**ITEM 1. Call to Order**

Mayor Shore called the March 15, 2005 Regular Meeting of the Trinity City Council to order at 7:00 pm.

**Pledge of Allegiance**

Mayor Shore led the Pledge of Allegiance.

**Invocation**

The invocation was given by Council member Ewings.

**Welcome Guest and Visitors**

Mayor Shore welcomed and thanked all persons in attendance.

**Amend Agenda:** After welcoming those present Mayor Shore called for a motion to amend the agenda to delete the current description in *Item 6 and to replace it with the description of Clean Sweep Program* *Council member Ewings made a motion to amend the agenda as requested by Mayor Shore. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

**ITEM 2. Review and Approval of Minutes**

**1. February 8, 2005 Pre-Agenda Meeting**

Mayor Shore called for corrections, additions, or deletions to the February 08, 2005 Pre-Agenda Minutes. *With no corrections, Council member Ewings made a motion to approve the minutes as written. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

**2. February 15, 2005 Regular City Council Meeting**

Mayor Shore called for corrections, additions, or deletions to the February 15, 2005 Regular City Council Meeting. With no changes, Mayor Shore called for a motion to approve the minutes.

*Council member Meredith made a motion to approve the minutes as written. Council member Labonte seconded the motion. The motion and second was approved unanimously by all Council members present.*

**3. February 17, 2005 Retreat (continuation from January 29, 2005)**

Mayor Shore called for corrections, additions, or deletions to the February 17, 2005 Retreat Continuation Minutes from January 29, 2005. With no changes, Mayor Shore called for a motion to approve the minutes.

*Council member Meredith made a motion to approve the minutes as written. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.*

**Public Concerns and Commendations**

Mayor Shore opened the floor to anyone who wished to address Council with items not listed on the Agenda.

**Mr. John Maddocks:** Mr. Maddocks extended an invitation for breakfast on behalf of the Archdale/Trinity Chamber of Commerce to be held on March 28, 2005. The Chamber is hosting a legislative breakfast and as chamber members you are all invited. The time is 8:00 am to 9:00 am. This is a chance for you to lobby for any special interest that you may have with our congressman and a chance to make sure they know who you are.

**Opening Comments from Members of Council**

Miles Talbert discussed the Planning and Zoning meeting and change in terms that he was a party to. We reduced the number on the board to 8 members with 2 representatives from each ward and made the Planning/Zoning Board autonomous in electing their own chairman. He discussed the committee made up of himself, Karen Bridges, and Manager Bailie. We were trying to come up with a more defined way to end terms. I believe this will be discussed later and will be straightened out with the Planning /Zoning Board and let the Ward 1 Council members handle this situation.

**Recognition/Proclamations**

**ITEM 4. Recognition Of Trinity High School Carpentry Class Levels II And III For Installation Of Railing At City Hall**

Mayor Shore read the proclamation and recognized the Trinity High School Carpentry Class Levels II and III individually as well as Lewis Dorsett, the Instructor of the class.

After the awards were handed out Mr. Dorsett thanked the city for having confidence in his class and allowing them the opportunity to do this job and for their support of the high school.

**ITEM 5. Proclamation Declaring March 2005 American Red Cross Month**

After Mayor Shore opened this item, *Council member Ewings made a motion to accept March as American Red Cross Month. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

Council member Ewings accepted the Proclamation on behalf of the Red Cross.

**ITEM 6. \*\*\* Amended \*\*\***

**Clean Sweep Program and City Haul**

Mayor Shore opened this item and asked Manager Bailie for comments.

Manager Bailie discussed the implementation of the first City Haul for Trinity. If approved by Council we will locate a site to place a couple of large dumpsters and set aside the last 2 weekends of April whereby city residents can clean up unwanted items around their homes and have a place to dispose of them.

At most the cost of this is approximately \$4,100.00. We are tying this in with the State's 2005 Litter Sweep. This allows organizations to become involved to clean up the roadside. If you are interested in

being a part of this we ask that you contact City Hall. We can make the arrangements for free vests, gloves, and bags.

If approved we plan to advertise this in the Newsletter which will go out the end of March or the first of April.

***Council member Bridges made a motion to approve the Clean Sweep and City Haul as requested. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

#### **Reports**

##### **ITEM 7.**

##### **Annual Report And Funding Request For Randolph County Senior Adult Association (Candie Rudzinski, Executive Director)**

After opening this request, Mayor Shore called on Candie Rudzinski to brief Council members on this request.

Ms. Rudzinski advised Mayor Shore and Council members that the Randolph County Senior Center was a private non-profit organization that depended on Grants. She discussed the number of staff located at the Senior Building in Archdale and the number of activities provided at this location. Ms. Rudzinski discussed the meals on wheels that were delivered to Trinity residents. Our annual request for this year is \$9,509.00 and is the same amount that we requested and received last year. We pay \$2.83 per meal. This is a contract price and is locked in for a 3 year period. This is the second year of this contract. Therefore our request is based on providing meals for one (1) year for 14 homebound residents at a cost of \$2.83 per meal. These meals are delivered by volunteers.

***Council member Brown made a motion to approve the request. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

##### **ITEM 8.**

##### **Annual Report And Funding Request For Archdale-Trinity Chamber Of Commerce (Beverly Nelson, President)**

Mayor Shore opened this item and called on Beverly Nelson to brief Council members on this request.

Ms. Nelson thanked Mayor Shore and Council for their financial support in 2004 and gave a brief overview of how the dollars were spent. The second item discussed and reviewed by Ms. Nelson was the Chamber's plans for 2005. The last item discussed by Ms. Nelson was the request to have the Chamber's funding request of \$5,000.00 included in the 2005-2006 Annual Budget for the City of Trinity.

***Council member Ewings discussed the overview by Ms. Nelson and the awareness of how the Archdale-Trinity Chamber of Commerce has been such an asset to the City of Trinity. Based on that information I would like to make a motion that the City of Trinity grant the amount requested in the amount of \$5,000.00. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.***

#### **Public Hearings**

##### **ITEM 9.**

##### **Request From Blue Ridge Development Services, LLC For Text Amendments To Zoning Ordinance That Would Allow Increased Density For Multifamily Development In The Trin-Thom Development Zoning District.**

Mayor Shore opened the Public Hearing and asked Adam Stumb, Planning/Zoning Administrator to brief Council on this item.

Mr. Stumb discussed the request received from Blue Ridge Companies to amend the Zoning Ordinance in the Trin-Thom Development zoning district. The request is to increase the density from the current 12,000 square feet for the first two (2) units and 4,000 square feet for each additional unit to 12,000 square feet for the first two units and 2,500 square feet for each additional unit. The current zoning would allow approximately 11 units (apartments) per acre. The request for the proposed zoning will allow approximately 17 units (apartments) per acre. This equates to an approximate difference of 99 units.

The Planning/Zoning Board heard this request at their January meeting and voted 5 to 3 to recommend approval of this text amendment.

Mayor Shore opened the Public Hearing to those who wished to speak in favor of the request.

**Bill Millis, High Point;** Mr. Millis discussed his involvement with this development stating he was one (1) of the (3) developers of this property. Approximately 45 + or – acres of this development is in the City of Thomasville and the southern 55 acres + or – are in the City of Trinity. He discussed the extension of Sunrise and the connections to other communities which presented an opportunity to look at development of something other than single family homes. We initially felt that in addition to single family that this area would provide a good opportunity for townhomes as well as some commercial. We had the property rezoned under the Trin-Thom Zoning District that provides approximately 8 ½ acres of commercial in Thomasville and approximately 7.2 acres in Trinity. There was an additional 15 acres in Trinity that we left hanging until a decision was made to develop in single family or townhomes as we will be building in Thomasville. Mr. Millis discussed how he was approached by 2 groups that felt there was a need for apartments in this area. After two (2) or three (3) months of discussion and due diligence we finally made our decision to allow David Couch, Blue Ridge Companies based in High Point to investigate and do his market studies for this area. Mr. Millis discussed the apartment complex owned by Blue Ridge located close to Greensboro and the appearance as well as amenities offered by this group to its residents as well as conversations he held with his bankers prior to beginning formal discussions with Blue Ridge concerning their requests. I was very pleased with the type development that David Couch and Blue Ridge offers. I would not be recommending this for consideration if we did not think this would be good for the community. I strongly recommend your consideration.

**David Couch, CEO for Blue Ridge Companies;** Mr. Couch reviewed his proposal as outlined on the power point presentation and the booklet prepared (included) for his companies request for approval for increase density for multifamily development in the Trin-Thom Development. The presentation included an overview of the new proposed development to be called Peyton Park. The complex would have 264 apartment homes with rental ranging from \$650.00 to \$900.00 per month. The cost for the total development would range from 14 to 15 million dollars and carry a tax base of \$96 to \$100 thousand dollars. There would be 1, 2, and 3 bedroom units with 6 floor plans ranging from 650 square feet to 1,450 square feet. This project will include a clubroom with a gourmet coffee bar, 24 hour business resource center and a full scale fitness center on site. Also included is a 24 seat movie theater, pet park, pool with expanded sun deck, tennis court, concierge services, valet dry cleaning, parcel post drop-off and pick up. Mr. Couch discussed how his project would help create a lifestyle for working people by providing homes to executives, persons who are building homes, military personnel, etc.

Mr. Couch discussed his request from his regional managers for a report of police activity for their properties. Our portfolio consists of over 3,300 units. The response came back that this was a non issue for our properties and not something that affects marketing or something that we deal with on a daily basis. Our renters are professional people and we do not have police problems.

In summary, we never intended to build all 264 of these units at once. We feel the market will dictate when the 264 units would be developed if Council approves this request. We had planned to build the first phase with a total between 162 to 198 units and then as the market grew here we would hopefully expand to 264 units. We feel this is not about apartments since this property is zoned for this, but about the number of apartments. The number of apartments that we might build at this location rests in Council's hands and we know our product and our people as well as the quality of service that we provide to our residents in properties that we develop. I respectfully request that Council allow us to go forward to allow 264 units, but we are happy either way. We will move forward with the 166 units and hope that once the product is out there and Council sees what value we bring to your community at some point in the future we will be allowed to provide more of them. It is in this spirit that I respectfully request the higher density and the 264 units; however, I respect the fact that it is your call. After the hearing is over if you have any questions relative to traffic or the development in particular, I will be glad to answer those questions.

With no others speaking in favor of the request, Mayor Shore discussed a petition brought to City Hall with 81 signatures against a rezoning. Mayor Shore advised persons present this request was not a rezoning request. This request is for increased density. After his comments, Mayor Shore opened the Public Hearing to those who wished to speak in opposition of the request.

**Tony Dennis, Meadowview Brook Road;** Mr. Dennis advised Council that his property joined the property of the proposed project. He discussed the current water problems in this area as well as his and neighbors concerns for the wetlands located in this area and how the developer proposed to preserve the wetlands. The entire west side of Meadowview Brook Road is a flood zone. Increased density will only increase the water problems for persons already in this neighborhood. He discussed problems experienced with septic systems prior to sewer installation. He discussed his feelings on how he felt this property should be developed since this was a main artery in the gateway to Trinity. He felt something with longevity should be developed in this area that would attract future homeowners to the community. He discussed his feelings concerning the difference in maintenance between single family and apartments. I would like to see Council protect the core of Trinity and the residents that have lived in this location for most of their life. Persons that live in apartments usually are not permanent residents and will not call Trinity their home. I would hate to see larger trees and fences installed in this area. If the right decisions are made this will not have to be done.

Prior to staff recommendation, Attorney Wilhoit addressed the petition Mayor Shore discussed earlier. This petition is titled "Protest Petition" as well as how the North Carolina General Statutes recognizes "Protest Petitions." The statutes states that if you have people within 100 feet of an area rezoned, and if the same sign protest petitions, for Council to approve a zoning amendment there would need to be a  $\frac{3}{4}$  vote of Council. The petition must be presented to the City in time to allow a working clerk at least two (2) days excluding week ends to certify that persons within the territory of adjoining properties are the persons on the petition. This petition came in the day before the meeting and the clerk has not had an opportunity to do this. We don't know who is immediately adjacent to this property.

Council member Bridges addressed Mr. Dennis's comments concerning apartments in this area. She discussed the rezoning in the Trin-Thom Development and the fact that it was approved earlier by Council and it does allow apartments in this location. The request is to increase the density.

With no others speaking, Mayor Shore closed the Public Hearing and opened the floor for discussion and or action.

Council member Brown discussed the numerous calls he had received from citizens in this area voicing the same concerns as voiced by Mr. Dennis. I understand where they are coming from but as Council member Bridges stated some apartments can be built at this location but I do not feel we need to allow an additional 100 units.

***At this time, Council member Brown made a motion to deny this request. They can build apartments there already, just not quite as many. Council member Bridges seconded the motion to deny the request for increased density.***

Prior to the vote, Council member Labonte asked Council member Brown to repeat his motion.

Council member Brown discussed Council member Bridges' comments concerning the approval for apartments for this area earlier by Council and the fact that this request was for increased density that would allow 99 additional units to be built if approved. My motion was to deny the request for increased density that would allow the additional units.

Mayor Shore called for a vote on the motion to deny the request for increased density.

***The motion and second was approved unanimously by all Council members present.***

After the vote Council member Meredith and Council member Brown discussed why Council rezoned this property and that it was done under the assumption that townhomes would be developed in this area, not apartments. Apartments were never mentioned. Council member Brown stated that townhomes and condominiums were presented when Trin-Thom developers presented this to Council with their request for rezoning for multi-family at this location.

**ITEM 10. Amendments To Zoning And Watershed Ordinances To Create New Zoning District, Residential-12 (R-12), Which Would Allow A Density Of Three Single Family Units Per Acre.**

After reading the description for this item, Mayor Shore opened the Public Hearing for this request and asked Mr. Stumb, Planning Administrator to brief Council on this item.

Mr. Stumb advised Council that this item was discussed at the December meeting of the Planning/Zoning Board. This district is an R-12, 12,000 square foot residential zoning district with a maximum of 3 units per acre. The front lot width will be 75 feet with setbacks for these residential developments of 75 feet lot width, 35 feet front yard setback, 10 feet side setback, and 25 feet rear setback.

The other change that is a direct result of the R-12 District is to limit the use of accessory uses. Previously in all zoning districts you could use the top part of a garage for residential purposes. We will only allow this use in RA and R-40.

At their December meeting the Planning Board recommended approval of this request unanimously. They felt the higher density would encourage more residential growth and that would in turn spur more commercial and industrial growth. There were no dissenting votes but several Board members were concerned about where to allow this rezoning so as not to allow blanket rezoning but to allow this as developers request and in the appropriate areas.

The other half of this amendment is for the Watershed Ordinance. The current Watershed Ordinance limits all single family residential to two (2) units per acre. This will change that to each lot having a 24% built upon limit that will include your home, driveway, or sidewalks. The R-12 zoning can not exceed the 24% built upon area. If the request for R-12 is approved, the amendment to the Watershed will also have to be approved.

There was discussion between Council members and Mr. Stumb concerning the normal built upon area accepted in other municipalities. Mr. Stumb discussed other methods but advised Council this was the normal procedure used by others.

There was discussion concerning where this type of development could occur. Mr. Stumb advised Council this development will occur only where sewer is available. Council member Bridges and Mr. Stumb discussed the current land use plan used by Trinity. Mr. Stumb advised Council members that the current land use plan did not distinguish the density of residential uses

With no other comments from Adam, Mayor Shore opened the request to anyone who wished to speak in favor of the request.

**Gary Peacock;** Mr. Peacock advised Council he was a builder and developer and had done projects in Winston Salem, Greensboro, High Point, and Jamestown. Once water and sewer became available in all of the cities that I have been involved in the 12,000 square foot lots have been accepted. He discussed the type of home he tried to build and classified his homes as those for normal working persons. If Trinity wants roof tops to attract commercial growth and industrial and to provide places for the workers to live, we need these 12,000 square foot developments.

With no one else speaking in favor of this request, Mayor Shore opened the floor to anyone who wished to speak against this request. With no one speaking against, Mayor Shore called for a staff recommendation.

Mr. Stumb advised Council the Planning Board voted unanimously to approve the R-12 district and staff also recommends approval of the R-12 Zoning District.

Mayor Shore closed the Public Hearing and opened the floor to discussion.

Council member Meredith asked if the R-12 Zoning was approved if it would be open to the entire city.

Manager Bailie advised Council any developer could come to Council and request rezoning where water and sewer is available, but it is Council's decision whether to grant the rezoning requests. This will be looked at on a case by case basis.

***Council member Talbert made a motion to add the R-12 Zoning in the City of Trinity. The motion was seconded by Council member Lambeth. The second and motion was approved with a 7 to 1 vote with Council member Bridges voting Nay.***

***After the vote to accept and approve the R-12 Zoning District, Council member Talbert made a motion to amend the Watershed Ordinance to comply with the state requirements of 24%. Council member Labonte seconded the motion. The motion and second was approved 7 to 1 with Council member Bridges voting Nay.***

**ITEM 11.****Amendments To The Zoning And Subdivision Ordinances Regarding Open/Recreational Space Standards For New Development.**

Mayor Shore opened the Public Hearing and called for Mr. Stumb, Planning Administrator to brief Council.

Mr. Stumb advised Council that staff was recommending a Recreation/Open Space requirement of 1/35 acre per unit for all R-12 Developments. This is approximately .029 per acre per unit for every new subdivision. The property could be used for any number of uses. It could be left open or the developer may choose to have tennis courts or swimming pool strictly for his development. Flood plains and wetlands could also be dedicated as open space. The idea is to preserve environmentally sensitive areas or to provide recreation space for that development. There are several options that remain with the developer such as Homeowners Associations, dedication of the property to land conservancy, or donation of a fee based on the value of the property to the city (fee in lieu dedication).

Mr. Stumb discussed the handout that compared Local Municipality and County Open and Park Space Ordinance requirements to those proposed by staff for the City of Trinity. In R-12 at 1/35 acre per unit for 100 acres allowing 300 units the dedication would be approximately 8.7 acres.

The Planning/Zoning Board voted against a 1/35 acre requirement for all new residential subdivisions.

Mr. Stumb advised Council the amendments for the R-12 Zoning District would also be incorporated into the Subdivision Ordinance as well as the Zoning Ordinance.

Council member Meredith asked if this would cover Multi-family development. Mr. Stumb advised Council that what Council approved at their last Council meeting was the 1/135 acre per unit for Multi-Family. This is what is in effect currently. This is a little more than 1/35 acre but this is a higher density.

Mayor Shore opened the floor to anyone who wished to speak in favor of the request.

Hearing none, Mayor Shore opened the floor to anyone who wished to speak against the request.

**Gary Peacock:** Asked for clarification. Will there be property in subdivisions that can not be used by developer or City such as wetlands?

Mr. Stumb advised Mr. Peacock and Council members that each circumstance would be different. The developer may have wetlands that would be dedicated to the Homeowners Association or the city. The fee in lieu would not be allowed in order to allow the developer to build on the wetlands.

Attorney Wilhoit discussed the Ordinance as addressed in North Carolina General Statute 160A-372 that discusses Subdivision Regulations. The Statute states that you can allow for the dedication or reservation or recreation areas serving residents of the immediate neighborhood within the subdivision or alternatively for a provision of funds to be used to acquire a recreation area serving the residents of the development or the subdivision. This means that a Subdivision Ordinance can address reservation of recreation lands or a fee in lieu dedication. In the case of the fee in lieu the funds collected by the city would be restricted for purchasing additional city property that can be used for parks and recreations. This prevents you from using this money in a partnership with a non-profit group. Attorney Wilhoit discussed his conversation with David Lawrence, Institute of Government concerning this and he concluded that this money was restricted and should only be used as directed by the statute.

There was discussion between Mr. Peacock, Council members, and the engineer Mr. McNeill concerning how the dedication worked. Mr. Peacock was advised that if he had 105 lots in his development the requirement under this proposed change would equal 3 acres of dedicated space or fee in lieu.

**Neutral Comments and Questions**

**Robbie Sikes, 4245 Hopewell Church Road:** Mr. Sikes asked if the city accepted the land dedication were they responsible for the property and did the personal liability fall on the city.

Manager Bailie advised Mr. Sikes that if the city accepted the land dedication then it assumed all the responsibility for the property accepted. Mr. McNeill discussed the different options available. It is the

city's choice whether they accept the property offered. If the city does not accept the proposed dedication of property, then the developer will have the option of paying a fee in lieu, or to develop a Homeowners Association that will assume responsibility.

Mr. Sikes discussed comments made by the developer concerning the ability to build cost effective housing. Here again if the city imposes another fee this will ultimately in return be passed on to the consumer. Mr. Sikes discussed his feelings concerning open space at this time for Trinity and how the city should encourage growth and felt like this should be considered strongly.

Mr. McNeill discussed another question addressed by Mr. Peacock. The wetlands can be part of the subdivision that are subdivided and sold to homeowners. If the developer chooses to pay a fee in lieu then all the acreage in the development can be sold. This makes the person who purchases the individual lot responsible for maintenance. A homeowners association would not be required and the city would not be responsible for this property. The homeowner that purchases wetlands property must still abide by federal laws pertaining to wetlands.

Manager Bailie stated that Mr. Millis chose to pay a fee in lieu and by doing so gained nine (9) additional lots.

With no others speaking, Mayor Shore closed the Public Hearing and opened the item to discussion and or action.

Council member Lambeth asked what the Planning/Zoning recommendation was for this item. Council member Labonte stated it was their recommendation not to recommend any recreation/open space in the zoning of the Subdivision Ordinance.

There was discussion among Council members on what they would like to see as proposed acreage for recreation/open space: Council member Labonte suggested 1/50 with fee in lieu, Council member Lambeth suggested 1/70 with fee in lieu, Council member Brown suggested 1/60 with fee in lieu, and Council member Talbert suggested 1/40 with fee in lieu.

After further discussion between Mayor Shore, Council members, and Planning Board members in the audience concerning the decision reached by the Planning/Zoning Board, ***Council member Meredith made a motion that the city not require the developer to set aside any open space or pay fee in lieu at the present time and that it would be the developer's choice whether they have open space. There was no second to this motion, therefore the motion died on the floor.***

***Council member Bridges made a motion that the City require open space at the rate of 1/40 acre per lot in developments with lots over 25 in the R-12 Development District and allow fee in lieu. Council member Talbert seconded the motion.***

Prior to the vote there was more conversation concerning the advantages of open space requirements as well as when other municipalities first implemented them.

***After conversation Attorney Wilhoit asked Council member Bridges to restate her motion. The motion was restated as follows: In the R-12 District to have 1/40 of an acre dedicated per unit in subdivisions over 25 lots and to allow fee in lieu.***

***The motion was denied by a vote of 5 to 2 vote with Council members Talbert and Bridges voting Aye all others voting Nay.***

**The next motion was as follows:**

***Council member Lambeth made a motion that in the R-12 District is to have 1/60 of an acre dedicated per unit in subdivisions over 25 lots and to allow fee in lieu. The motion was seconded by Council member Brown. The motion and second was approved by a 6 to 2 vote with Council members Meredith and Labonte voting Nay.***

After the vote, there was discussion concerning the Planning/Zoning recommendation concerning the possible refund of the fee in lieu paid by Mr. Millis. Manager Bailie discussed the recommendation made by the Planning/Zoning Board. It was their recommendation that if open space requirements were not approved in R-12 that Council consider refunding Mr. Millis the money he previously paid. This did not happen and the only difference is the formula used to calculate Mr. Millis's fees.

Council members discussed how Mr. Millis was a part of the Trin-Thom development and not part of the regular Subdivision Ordinance. His fee was based on the Trin-Thom development.

After further discussion, Attorney Wilhoit discussed the difference in the open space fee for Trin-Thom and the one just adopted for other areas in the city. If we determine it is best to offer the reimbursement of the difference we can bring this before Council.

After further discussion between Council members, Attorney Wilhoit, and Manager Bailie, ***Council member Meredith made a motion to table the issue regarding the refunding of any fee. The motion was seconded by Council member Ewings and approved 7 to 1 with Council member Bridges voting Nay.***

#### **Unfinished Business**

**None**

#### **New Business**

##### **ITEM 12.**

##### **Approval Of Engineering Firm Or Individual(S) To Provide Professional Services In The Areas Of Site Plan And Subdivision Review And Inspecting/Monitoring Work Of Contractors.**

Mayor Shore opened this item and called for Manager Bailie to address Council on this issue.

Manager Bailie advised Council that she issued RFQs for an individual or engineering firms to perform the services as described. We advertised in the Asheboro Courier Tribune, High Point Enterprise, and Greensboro News and Record. I also mailed out individual invitations to submit proposals to eight (8) local engineering firms. We received four (4) proposals.

Council member Reddick came in and reviewed the proposals with myself and Mr. Stumb. We unanimously recommend for your approval the engineering firm of Anderson and Associates. We believe they provide the professionalism, flexibility, and the technical knowledge that we need to review subdivisions. This would also provide backup for Mr. Stumb, Planning Administrator.

Mr. McNeill advised Council this was a very qualified firm and that this firm has many offices over the southeastern United States. I commend the city for looking at this avenue because we wanted to avoid any conflict of interest with Davis, Martin, Powell, for the good of the city by helping developers in the City of Trinity.

We hope to continue our relationship with the City of Trinity and appreciate the opportunity to be your municipal engineer on sewer utilities and things of this nature. We will work together with Anderson and Associates.

***Council member Brown made a motion to accept the proposal from Anderson and Associates. Council member Lambeth seconded the motion. The motion and second was approved unanimously by all Council members present.***

##### **ITEM 13.**

##### **Guidelines For Approving Private Sewer Lines To Individual Homes**

Mayor Shore opened this item and turned the discussion over to Manager Bailie.

Manager Bailie discussed an informal request by an individual that lived near the Colonial Heights project but who will not be served directly by the project. He has asked if it is possible to connect to our private sewer line by going across a neighbor's property that he has already obtained permission from. This request has been to the Utilities Committee and they are recommending that we allow this to happen with the

guidelines included in the packet. The staff has added a few more to this list. The primary addition is that these extensions be allowed only to existing single-family homes, not to undeveloped property.

***Council member Bridges made a motion to approve the request with the recommendations of the staff and the Utilities Committee. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

**ITEM 14.                                      Deadline For Colonial Heights Residents To Pay Discounted Sewer Tap Fee**

Mayor Shore opened this item and turned the discussion over to Manager Bailie.

Manager Bailie advised Council members this issue had been discussed by the Utilities Committee over a course of months. What we sought to do was to have Council establish deadlines for both property owners of undeveloped property as well as property on which there are homes built in the Colonial Heights district. When the contractor goes through this development we do intend to install a tap at each home.

We would like for Council to set a deadline of November 01, 2005 for property owners to pay the discounted tap fee and a deadline of May 16, 2005 for undeveloped property owners.

***Council member Meredith made a motion to approve the request. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

**ITEM 15.                                      Contract With Guil-Rand Fire Protective Assn., Inc. For Fire Inspections**

After Mayor Shore opened this item, Manager Bailie advised Council members this was the annual contract proposed by Guil-Rand. This is exactly as proposed last year including the money. We recommend that Council approve the contract.

***Council member Ewings moved to make a motion to approve the contract. Council member Brown seconded the move to motion. The motion and second was approved unanimously by all Council members present.***

**ITEM 16.                                      Appointment/Reappointment Of Members To Planning & Zoning Board/Board Of Adjustment**

After Mayor Shore opened this item, Manager Bailie discussed the schedule handed out prior to the meeting that gave all members of the Planning/Zoning Board with term expiration dates. Expiring in 2004 are J.R. Ewings, Robbie Sikes, and Buddy Maness. We advertised that we were seeking volunteers for Wards 2 and 3. The only people that reapplied were Buddy Maness and Robbie Sikes.

Manager Bailie discussed issues that had been raised regarding whether J.R. should be given the opportunity to ask for reappointment as Robbie and Buddy were given. It is my understanding from comments that I have heard that he should be given that opportunity. After discussions with Mayor Shore and Council member Talbert we are recommending that if J.R. would like to fill out a form to seek reappointment that it be up to the Council Ward Representatives from Ward I to decide how this should be handled. The Ordinance that Council passed earlier calls for an 8 member board. We will leave it up to you to decide how you would like to handle it and make the recommendation to the Council at next month's meeting addressing this issue.

***Council member Talbert moved to make a motion to reappoint Buddy Maness and Robbie Sikes to the Planning/Zoning Board. The move to motion was seconded by Council member Lambeth. The motion and second was approved 7 to 1 with Council member Reddick voting nay.***

**ITEM 17.                                      Budget Amendments (No Additional Funds Required)**

After Mayor Shore opened this item, Manager Bailie discussed the Budget Amendments attached in the packet. Some of them are a result of GASB #34 and restructuring of the budget. All of the amendments are for transfers and no additional funds are required to balance the budget.

***Council member Bridges made a motion to accept the Budget Amendments. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.***

**ITEM 18. Business From Mayor And Council**

Mayor Shore opened this item and discussed the following:

**Darr Road and CDBG Project Community Meeting**

Mayor Shore stated that CMR Services will be holding a community meeting for property owners and residents within the boundaries of the Darr Road Area Sewer Project on Tuesday, March 29, 2005. The meeting will be held at Saint Mary's United Methodist Church, 5583 Rockford Drive, Trinity. The meeting begins at 6:30 pm, and is scheduled to last until 9:00 so that property owners and residents can attend at their convenience. Randy McNeill will give a presentation at 7:00 pm. A letter notifying all affected residents will be sent out later this week or early next week.

**Guil-Rand Fire Inspections**

Mayor Shore stated that all comments received regarding this issue had been on a positive nature. The personnel conducting this service have been nice and corporative and have pointed out some issues to give individuals ideas on ways they might improve on the current standards.

**ITEM 19. Business From City Manager**

Mayor Shore called for business from the City Manager.

**CITY HAUL**

Manager Bailie advised Council members that the city needed a location to place the dumpsters for this project. She asked for anyone who might know of a location where these dumpsters might be placed to advise her or staff. The location preferably would be a locked facility or a fenced in area. We need to locate a place so that we can advertise this in the newsletter.

**ITEM 20. Adjournment**

Prior to adjournment, Mayor Shore read the Upcoming Meetings and Community Events Section of the Agenda. With no further business to discuss, Mayor Shore called for a motion to adjourn the March 15, 2005 Regular Meeting of the Trinity City Council.

*Council member Ewings moved to make a motion to adjourn the March 15, 2005 Regularly Scheduled Meeting of the Trinity City Council. Council member Meredith seconded the move to motion. The motion and second were approved unanimously by all Council members present.*